

May 8, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: ACA International Petition for Expedited Clarification – Docket No. 02-278

<http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/E6-6022.htm>

Dear Secretary Dortch:

I oppose allowing debt collectors to dial cellular phone using automated dialing equipment. Debt collectors are permitted by law to contact consumers from 8am to 9pm which is consider peak and prime time calling by the Cellular phone companies. Automated dialing equipment calling cellular phones has the potential of costing the consumer by cutting into their allotted peak airtime resulted in potential unnecessary and unjustifiable expense.

Cellular phones are not like land line phones or broadband Internet phones that can receive an unlimited number of calls. Cellular phone users get charged when both making and receiving a call.

Many debt collection and telemarketing agencies use “fake” caller id numbers. The consumer has no idea when answering the phone if it is from a business that they are doing business with or debt collectors with a wrong number and/or debt collectors that simply refuse to stop calling cellular telephone numbers. Heaven help you if your cellular phone number even if by mistake gets into an automated dialer because if a person is unavailable when you answer, the dialer hangs up and places your number back in a queue to be redialed. Those things will drive you crazy.

Please rein in these debt collectors. If you do not and allow them to use these automated dialers, many of us may be relegated to silencing the ringer and paying for a cellular voicemail to return legitimate calls. Would you want debt collectors calling your cellular phone everyday with an automated dialer looking for someone that you do not know? What is to stop them from putting in a block of cellular numbers to go fishing for a consumer’s cellular number at the expense of the American public that owns a cell phone?

Sincerely,

James Turpin
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